

STATE OF VERMONT
PUBLIC SERVICE BOARD

Docket No. 7644

Petition of Burlington Schools PV, LLC for a Certificate)
of Public Good, pursuant to 30 V.S.A. § 248(j),)
authorizing the installation and operation of a 278 kW)
solar electric generation facility to be located at Hunt)
Middle School in Burlington, Vermont)

Order entered: 5/24/2011

ORDER RE: MOTION TO DISMISS WITHOUT PREJUDICE

On July 14, 2010, Burlington Schools PV, LLC ("BSPV") filed a petition with the Public Service Board ("Board") pursuant to 30 V.S.A. § 248(j) for the construction and operation of a 278 kW solar electric generating facility to be located at Hunt Middle School in Burlington, Vermont. On September 29, 2010, December 15, 2010, and February 3, 2011, the Board granted Motions to Stay Proceedings due to unresolved issues with the proposed project. On April 15, 2011, BSPV filed a Motion to Further Extend the Stay of Proceedings regarding BSPV's petition until September 1, 2011. On April 29, 2011, the Board denied BSPV's Motion, and stated that BSPV must file the information required by the Board's August 26, 2010, memorandum within ten days of the expiration of the current stay of proceedings. The Board found that, in the event that this information is not filed, the Board would deem BSPV's petition withdrawn and the docket would be closed.

On May 12, 2011, BSPV filed a Motion to Dismiss Without Prejudice. BSPV states that it is not ready to file the required information at this time, and that BSPV plans to move forward with the proposed project in the future.

No party has objected to BSPV's motion.

BSPV's Motion to Dismiss Without Prejudice is granted. BSPV may refile its petition as soon as all outstanding issues have been resolved.

SO ORDERED.

Dated at Montpelier, Vermont, this 24th day of May, 2011.

<u>s/James Volz</u>)	
)	PUBLIC SERVICE
)	
<u>s/David C. Coen</u>)	BOARD
)	
)	OF VERMONT
<u>s/John D. Burke</u>)	

OFFICE OF THE CLERK

FILED: May 24, 2011

ATTEST: s/Susan M. Hudson
Clerk of the Board

NOTICE TO READERS: This decision is subject to revision of technical errors. Readers are requested to notify the Clerk of the Board (by e-mail, telephone, or in writing) of any apparent errors, in order that any necessary corrections may be made. (E-mail address: psb.clerk@state.vt.us)